IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.4609 OF 2005

Kolhapur Zilla Sahakari Dudh Uttapadak Sangh Ltd. : Petitioner

V/s.

State of Maharashtra & Ors. : Respondents

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Mr.A.V.Anturkar with Mr.S.B.Deshmukh for the petitioner.

Mr.Ravi Kadam, Advocate General, with Mr.S.R.Nargolkar, Asstt. Govt. Pleader for the respondent nos.1 to 3.

Mr.K.R. Maniyar for Mr.M.L.Patil for the intervenor.

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CORAM : S.A. BOBDE, J.

October 25, 2005.

P.C.

1. The petitioner has challenged the order dated 12.7.2005 issued by the Government of Maharashtra in the Agriculture, Animal Husbandry, Dairy Development & Fisheries Dept. By the impugned order, the Government had injuncted the petitioner from discussing issue nos.2, 3 and 4 of the Special General Body meeting which was proposed to be held on 13.7.2005. The learned Advocate General makes a statement, on the basis of the affidavit

filed by the Secretary that the letter dated 12.7.2005 was intended for the meeting scheduled to be held on 13.7.2005. The learned counsel for the petitioner expresses an apprehension that in the circumstances of this case, the proposed meeting may also meet similar fate.

2. In the circumstances, the petitioner is directed to serve notice of the proposed meeting on the Government at the earliest. The learned Advocate General states that the Government will not pass an order prohibiting discussion on any subject proposed to be discussed by the petitioner without issuing prior notice to the petitioner and affording it an opportunity of being heard before passing any order in that regard. The learned counsel for the petitioner states that notice may be served on the petitioner-society or its Advocate, viz., the learned counsel for the petitioner. The petitioner is directed to serve a copy of the notice of the proposed meeting within 48 hours from today.

3. The Writ Petition is disposed of.

4. Civil Application nos.2366 of 2005 and 2367 of 2005 stand disposed of as not pressed.

Sd/-

S.A. BOBDE, J.